

7. **Issue:** Non-consensus situations. There is no agreed-upon procedure to document non-consensus DMMO decisions.

Recommended Action: Recognizing that each DMMO agency retains its authority to make unilateral decisions within its specific authorities, and that the Management Committee (rather than the DMMO), is the decision making body, revise the MOU to reflect the following: When an individual agency unilaterally invokes its own authority (without formal elevation to the Management Committee), this position should be made in writing with the signature of the Management Committee member of that agency, and the DMMO should be notified.

8. **Issue:** The project information submittal time, contained in the MOU allows for DMMO review of a SAP submitted in advance of the complete project application. For projects which propose a change in a previously permitted material disposal environment, review and approval of the SAP before consideration of the revised project application raises numerous issues, most notably the potential for the needless expenditure of funds for a testing program that is unsuitable for the approved disposal site.

Recommended Action: Revise the MOU to indicate that any dredging project proposing a change in the previously permitted material disposal environment, must submit a complete DMMO application prior to SAP approval. Such projects may need to be reviewed by the Dredging Management Committee which will provide management direction to the DMMO.

9. **Issue:** Delays in DMMO processing due to agency absence at meetings. Constraints on the staffing resources of the individual agencies can mean that an agencies' representative or alternate is unavailable to attend a regularly scheduled meeting or is unable to review all the projects on the agenda for that meeting. Because DMMO consensus determinations rely on coordination and decision-making at the bi-monthly meetings, the absence of any agency from that review process will prolong the review time frame and can result in delays in permit processing.

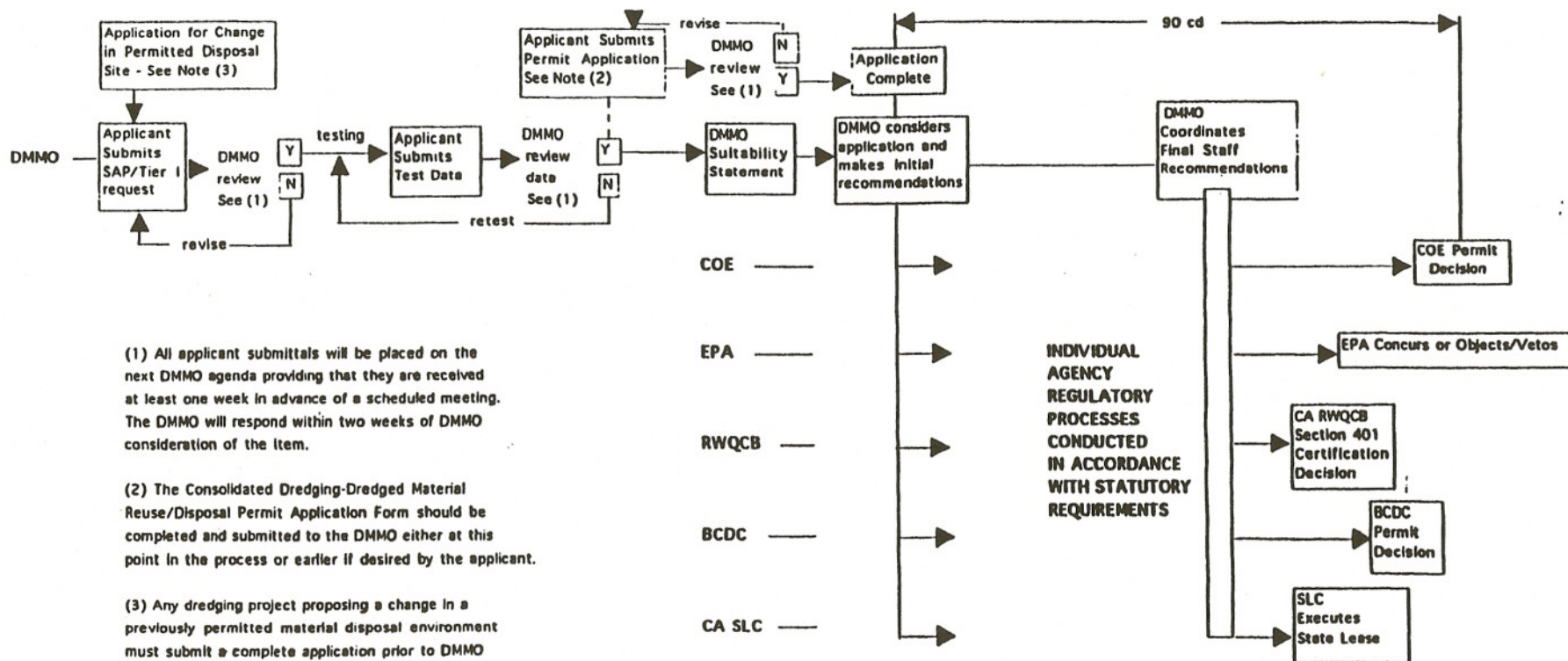
Recommended Action: Recognizing the resource constraints that exist for the member agencies, revise the MOU to clarify the following procedure for documenting the position of an agency if it is unable to attend a scheduled DMMO meeting: The DMMO representative shall submit a written summary of positions and/or questions regarding all projects within their jurisdiction or regulatory authority which appear on the final agenda for a particular meeting. Should an agency representative choose to defer on a particular project to the consensus reached by the other agencies, this should also be indicated in written form. This summary should be submitted to the host agency on or before the scheduled meeting date and shared with the other members at the DMMO meeting.

V. CONCLUSIONS

During the first six-month phase of the Pilot Program, coordination efforts of the DMMO have successfully increased member agencies' permit processing efficiency and decreased the redundancies associated with multi-agency review. In addition to the normal review and issuance of permits, dredged material disposal applications require agency staff members to interpret the results of an extensive battery of test characterizing the physical, chemical, and biological nature of the sediment proposed for dredging. The pilot program of the DMMO has initiated coordination of all these tasks with encouraging results. Although some operational and procedural problems were noted during this first phase, there is consensus on the part of the agency staff to continue the pilot DMMO by commencing a second six-month pilot phase following an expression of concurrence by the Dredging Management Committee.

VI. ATTACHMENTS

Urrut UMMO Flowchart and Timeline Goals for Maintenance Dredging Projects (revised 3/28/97)



(1) All applicant submittals will be placed on the next DMMO agenda providing that they are received at least one week in advance of a scheduled meeting. The DMMO will respond within two weeks of DMMO consideration of the item.

(2) The Consolidated Dredging-Dredged Material Reuse/Disposal Permit Application Form should be completed and submitted to the DMMO either at this point in the process or earlier if desired by the applicant.

(3) Any dredging project proposing a change in a previously permitted material disposal environment must submit a complete application prior to DMMO consideration of the SAP or sampling results.

cd = calendar days

DMMO - Dredge Materials Management Office
 COE - Corps of Engineers
 EPA - U.S. Environmental Protection Agency
 CA RWQCB - CA Regional Water Quality Control Board
 BCDC - San Francisco Bay Conservation and Development Commission
 CA SLC - CA State Lands Commission
 SAP - Sampling and Analysis Plan

Table 1
DMMO Dredging Projects
Non-Federal Projects
Summary of Action Dates

Applicant	Project Site	SAP Recd.	SAP Appvd.	Sed. Qual. Results Recd.	DMMO Determ.	RWQCB Appvd.	BCDC Appvd.	State Lands Appvd.	Corps PN
Aeolian Yacht Club	Aeolian Yacht Club-	Nov-96	Nov-96	Pending	-	-	-	-	-
Ballena Isle Marina	Ballena Isle Marina	Dec-95	Dec-95	Pending	-	-	-	-	-
Bel Marin Keys Community Services District	Laguna Bel Marin and Novato Creek	-	-	Aug-96	N/A	-	-	-	-
Benicia, City of, Dept. of Public Works	Benicia Marina	-	Mar-96	May-96	Jun-96	Jul-96	Apr-96	May-95	-
Benicia Port Terminal	Pier 92, 1st '96 episode	pre-DMMO	Nov-95	Dec-95	Jan-96	-	-	Apr-94	-
Benicia Port Terminal	Pier 92, 2nd '96 episode	Oct-96	Nov-96 Tier I	-	Nov-96 Tier I	-	Jan-96	Apr-94	-
Brisbane, City of	Brisbane Marina	Jul-95	Sep-95	Mar-96	Apr-96	-	-	N/A	-
CALTRANS	Benicia-Martinez Bridge	Jul-96	Aug-96	Dec-96	Jan-97	-	-	May-05	-
CALTRANS	Carquinez Bridge Retrofit	Aug-96	Aug-96	Dec-96	Jan-97	-	-	May-05	-
CALTRANS	Richmond San Rafael Bridge Retrofit Project	Aug-96	Aug-96	Pending	-	-	-	May-05	-
CALTRANS	San Mateo-Hayward Bridge Retrofit Project	Aug-96	Aug-96	Dec-96	Jan-97	-	-	May-05	-
CALTRANS	SF-Oakland Bay Bridge Retrofit Project	Jul-96	Aug-96	Dec-96	Dec-96	-	-	N/A	-
Castrol North American Automotive	Castrol Berth (Richmond Inner Harbor)	Aug-96	Aug-96	Oct-96	N/A	-	-	N/A	-
Chevron U.S.A.	Richmond Long Wharf	-	Apr-95	Jul-95	Oct-95	-	Aug-95	Nov-94	-
Chevron U.S.A. Inc.	Richmond Long Wharf	Jul-96	July-96 Tier I	-	July-96 Tier I	Sep-96	Oct-96	Nov-94	-
Desert Aggregates	Sonoma-Marin, Port of	Oct-96	Dec-96	-	-	-	-	Feb-96	-
Emery Cove Marina	Emery Cove Marina,	Sep-95	Jun-95	Oct-95	Oct-95	Dec-95	Feb-96	-	-
Exxon	Benicia Refinery Dock, 1st '96 episode	Jan-96	Jan-96 Tier I	-	Jan-96 Tier I	Jun-95	Nov-95	May-95	-
Exxon	Benicia Refinery Dock, 2nd '96 episode	Jun-96	June-96 Tier I	-	June-96 Tier I	Oct-96	Oct-96	May-95	-

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DMMO Dredging Projects
Non-Federal Projects
Summary of Action Dates**

Applicant	Project Site	SAP Recd.	SAP Appvd.	Sed. Qual. Reults Recd.	DMMO Determ.	RWQCB Appvd.	BCDC Appvd.	State Lands Appvd.	Corps PN
Exxon	Benicia Refinery Dock, 3rd. 96' episode	Aug-96	Aug-96 Tier I	-	Aug-96 Tier I	-	-	May-95	-
Foster City	Foster City Lagoon	Apr-96	Jul-96	Pending	-	-	-	N/A	-
Golden Gate Bridge and Transportation District	Larkspur Ferry Terminal-Berths 1 & 2	Apr-96	Apr-96	Sep-96	Oct-96	-	-	-	Dec-96
Loch Lomond Marina	Loch Lomond Marina, San Rafael, Marin County	Jul-95	Jul-95	Oct-95	Nov-95	Dec-95	May-95	N/A	-
Loch Lomond Marina	Loch Lomond Marina, San Rafael, Marin County	Dec-96	Pending	-	-	-	-	N/A	-
Marin Co. Pub. Svcs. Agent. (29); Paradise Cay HOA	Paradise Cay (north entrance chan. & chans. C & D)	May-96	Jun-96 Tier I	-	Jul-96	-	-	Feb-97	-
Marin Yacht Club	Marin Yacht Club, Tier I request	Aug-96	Aug-96 Tier I	-	Aug-96	-	-	Mar-95	-
Oakland, Port of	Berths 20, 21, 30, 32, 33- Maintenance Dredging under existing	Aug-96	Aug-96	Oct-96	Oct-96	Oct-96	Oct-95	N/A	-
Oakland, Port of	Berths 22, 23, 24, 25, 26 (Deepening Project)	Sep-95	Oct-95	Feb-96	Mar-96	-	Oct-96	N/A	-
Oakland, Port of	Berths 25 and 26 (high spots) Maintenance Dredging under existing	-	-	-	April-96 Prior Approval	-	-	N/A	-
Oakland, Port of	Berths 22, 23, 24, 35, 67, 68- Maintenance Dredging under existing	Aug-95	Aug-95	Dec-95	Feb-96	Aug-95	Oct-95	N/A	-
Oakland, Port of	Berths 25, 26, 30, 37- Maintenance Dredging under existing BCDC and	-	May-95	-	Aug-95	-	-	-	-
Pullman Building Company	Paradise Cay Yacht	Jul-95	Sep-95	Nov-95	May-96	Apr-96	-	Mar-94	Oct-96
Redwood City, City of	Port of Redwood City,	Mar-96	Apr-96	Pending	-	-	-	-	-

Table 1
DMMO Dredging Projects
Non-Federal Projects
Summary of Action Dates

Applicant	Project Site	SAP Recd.	SAP Appvd.	Sed. Qual. Results Recd.	DMMO Determin.	RWQCB Appvd.	BCDC Appvd.	State Lands Appvd.	Corps PN
Richmond, Port of	Levin Terminal (Berths: IMTT, Natl Gypsum, GATX, ARCO, Terminals 2)	Pre-DMMO	-	Aug-96	Aug-96	-	Jul-96	N/A	-
Richmond, Port of	Terminal No. 4 (Emergency)	Oct-96	Oct-96 Tier I	-	Oct-96	-	Oct-95	Mar-94	-
San Francisco, City &	Gashouse Cove, SF Marina	Jan-00	May-95	Sep-95	Pending	-	-	-	-
San Francisco, City & County	Marina Small Craft Harbor (Areas 2 and 3) - West	Jun-95	-	Sep-95	Nov-95	Dec-95	Aug-94	Nov-94	Jul-94
San Francisco, City & County	Marina Small Craft Harbor (Berth and Fairways)	Apr-96	May-96	Sep-96	Pending	-	Aug-94	Nov-94	Jul-94
San Francisco, City & County	S.F. Marina and Small Craft Harbor Entrance Channel - Sand	Jun-95	-	Sep-95	Nov-95	Aug-95	Dec-95	N/A	-
San Francisco Drydock, Inc.	San Francisco Drydock, Berths 3 and 4-Pre Oil	-	May-96	Jul-96	Jul-96	Sep-96	-	Oct-96	-
San Francisco Drydock, Inc.	San Francisco Drydock, Berths 3 and 4 -POST	Jan-97	-	Mar-97	Apr-97	-	-	-	-
San Francisco, Port of	Pier 35 East	Aug-96	Sep-96	Sep-96	Oct-96	Oct-96	Oct-96	Mar-95	-
San Francisco, Port of	Pier Pier 27	Aug-96	Sep-96	Sep-96	Oct-96	Oct-96	Oct-96	Mar-95	-
San Francisco, Port of	Pier 35 West	Nov-95	Mar-96	Apr-96	Apr-96	Apr-96	Apr-96	Mar-95	-
San Francisco Public Utilities Commission - Department of Public	Port of SF, Piers 33 and 35	May-96	Jul-96	Oct-96	Oct-96	-	-	Feb-96	-
San Francisco Yacht Club	San Francisco Yacht Club, Belvedere, Marin Co.	Jan-95	pre DMMO	Mar-95	Jul-95	Oct-95	Aug-95	N/A	Sep-95
San Leandro, City of	San Leandro Marina	May-96	Jul-96	Dec-96	Dec-96	-	-	N/A	-
Sausalito Yacht Harbor Inc.	Sausalito Yacht Club	May-95	May-95	Jul-95	Nov-95	Nov-95	May-96	N/A	Apr-96
Schnitzer Steel	Schnitzer Steel, Port of Oakland	-	pre DMMO	-	Aug-95	-	-	N/A	-
Schnitzer Steel	Schnitzer Steel, Port of	Jan-97	Feb-97	-	-	-	-	N/A	-

**Table 1
DMMO Dredging Projects
Non-Federal Projects
Summary of Action Dates**

Applicant	Project Site	SAP Recd.	SAP Appvd.	Sed. Qual. Reults Recd.	DMMO Determin.	RWQCB Appvd.	BCDC Appvd.	State Lands Appvd.	Corps PN
Unocal Corp	Unocal Marine Terminal,	-	Sep-96	Oct-96	Oct-96	-	Aug-96	Oct-95	-
Vallejo, City of	Vallejo Ferry Terminal, east shore of Mare Island	Aug-96	Sep-96	Dec-96	Jan-97	-	-	Oct-96	-
Vallejo Yacht Club	Vallejo Yacht Club - harbor entrance	Sep-96	Dec-96 Tier I	-	Dec-96	-	Jan-97	N/A	May-95
Western Waterways, Inc.	Glen Cove Marina, Vallejo, Solano County	-	pre DMMO	Dec-95	Jan-96	Mar-96	May-96	N/A	-
Wickland Oil Martinez	Wickland Oil Martinez, Proposed Point Orient Terminal	Mar-96	May-96	Pending	-	-	-	Pending Rect. of Appl.	-

Table 2
DMMO Material Suitability Determinations
All Projects

Non-Federal Projects							
Applicant	Project Site	Proposed Dredging Volume	Volume Approved (SUAD)	Volume Failed (NUAD)	Percent Approved (SUAD)	Aquatic Disposal Site	Upland Disposal Site
Aeolian Yacht Club	Aeolian Yacht Club-Harbor Entrance	12,000	Pending	Pending	0	Carquinez (SF-9)	-
Ballena Isle Marina	Ballena Isle Marina	44,000	Pending	Pending	0	-	-
Bel Marin Keys Community Services District	Laguna Bel Marin and Novato Creek	10,000	N/A	N/A	0	-	Calif. Quartet Owned Land
Benicia, City of, Dept. of Public Works	Benicia Marina	20,000	20,000	0	100	Carquinez (SF-9)	-
Benicia Port Terminal	Pier 92, 1st '96 episode	33,900	33,900	0	100	Carquinez (SF-9)	-
Benicia Port Terminal	Pier 92, 2nd '96 episode	45,000	45,000	0	100	Carquinez (SF-9)	-
Brisbane, City of	Brisbane Marina	76,000	76,000	0	100	Alcatraz (SF-11)	-
CALTRANS	Benicia-Martinez Bridge Retrofit	6,200	6,200	0	100	Carquinez (SF-9)	-
CALTRANS	Carquinez Bridge Retrofit Project	5,700	5,700	0	100	Carquinez (SF-9)	-
CALTRANS	Richmond San Rafael Bridge Retrofit Project	13,670	Pending	Pending	0	San Pablo Bay (SF-10)	-
CALTRANS	San Mateo-Hayward Bridge Retrofit Project	98,900	98,900	18,000	100	Alcatraz (SF-11)	unknown upland location
CALTRANS	SF-Oakland Bay Bridge Retrofit Project	260,000	248,200	11,800	95	Alcatraz (SF-11)	unknown upland location
Castrol North American Automotive	Castrol Berth (Richmond Inner Harbor)	41,000	N/A	N/A	0	-	Port Land (Parking Lot)
Chevron U.S.A.	Richmond Long Wharf	60,000	60,000	0	100	Alcatraz (SF-11)	-
Chevron U.S.A. Inc.	Richmond Long Wharf	200,000	200,000	0	100	Alcatraz (SF-11)	-
Desert Aggregates	Sonoma-Marin, Port of	220,000	Pending	Pending	0	0	on-site ponds

Table 2
DMMO Material Suitability Determinations
All Projects

Applicant	Project Site	Proposed Dredging Volume	Volume Approved (SUAD)	Volume Failed (NUAD)	Percent Approved (SUAD)	Aquatic Disposal Site	Upland Disposal Site
Emery Cove Marina	Emery Cove Marina, Emeryville	49,500	49,500	0	100	Alcatraz (SF-11)	-
Exxon	Benicia Refinery Dock, 1st '96 episode	20,000	20,000	0	100	Carquinez (SF-9)	-
Exxon	Benicia Refinery Dock, 2nd '96 episode	20,000	20,000	0	100	Carquinez (SF-9)	-
Exxon	Benicia Refinery Dock, 3rd. '96 episode	20,000	20,000	0	100	Carquinez (SF-9)	-
Foster City	Foster City Lagoon	92,900	Pending	Pending	0	Alcatraz (SF-11)	City property
Golden Gate Bridge and Transportation District	Larkspur Ferry Terminal-Berths 1 & 2	25,000	25,000	0	100	Alcatraz (SF-11)	-
Loch Lomond Marina	Loch Lomond Marina, San Rafael, Marin County	94,400	94,400	0	100	San Pablo Bay (SF-10)	-
Loch Lomond Marina	Loch Lomond Marina, San Rafael, Marin County	72,300	Pending	Pending	0	San Pablo Bay (SF-10)	-
Marin Co. Pub. Svcs. Agent. (29); Paradise Cay HOA	Paradise Cay (north entrance chan. & chans. C & D)	10,000	10,000	0	100	Alcatraz (SF-11)	-
Marin Yacht Club	Marin Yacht Club, Tier I request	3,500	3,500	0	100	San Pablo Bay (SF-10)	-
Oakland, Port of	Berths 20, 21, 30, 32, 33- Maintenance Dredging under existing BCDC and COE permits for all berths	64,000	64,000	0	100	Alcatraz (SF-11)	landfill via Berth 10
Oakland, Port of	Berths 22, 23, 24, 25, 26 (Deepening Project)	62,000	61,500	500	99	Alcatraz (SF-11); Deep Ocean	Landfill (via Berth 10)
Oakland, Port of	Berths 25 and 26 (high spots) Maintenance Dredging under existing BCDC and COE permits for all berths	1,200	1,200	0	100	Alcatraz (SF-11)	-

Table 2
DMMO Material Suitability Determinations
All Projects

Applicant	Project Site	Proposed Dredging Volume	Volume Approved (SUAD)	Volume Failed (NUAD)	Percent Approved (SUAD)	Aquatic Disposal Site	Upland Disposal Site
Oakland, Port of	Berths 22, 23, 24, 35, 67, 68- Maintenance Dredging under existing BCDC and COE permits for all berths	58,000	48,300	9,700	83	Alcatraz (SF-11)	landfill via Berth 10
Oakland, Port of	Berths 25, 26, 30, 37- Maintenance Dredging under existing BCDC and COE permits for all berths	34,300	34,300	0	100	Alcatraz (SF-11)	-
Pullman Building Company	Paradise Cay Yacht Harbor	64,000	64,000	0	100	Alcatraz (SF-11)	-
Redwood City, City of	Port of Redwood City, Berths 1 and 2	22,630	Pending	Pending	0	0	-
Richmond, Port of	Levin Terminal (Berths: IMTT, Natl Gypsum, GATX, ARCO, Terminals 2 & 3, Berths 6 & 7- all pre-DMMO)	8,500	8,500	0	100	SF-11	-
Richmond, Port of	Terminal No. 4 (Emergency)	9,100	9,100	0	100	Alcatraz (SF-11)	-
San Francisco, City & County	Gashouse Cove, SF Marina	30,000	Pending	Pending	0	0	-
San Francisco, City & County	Marina Small Craft Harbor (Areas 2 and 3) - West Basin	15,000	15,000	0	100	Alcatraz (SF-11)	-
San Francisco, City & County	Marina Small Craft Harbor (Berth and Fairways)	50,000	Pending	0	0	Alcatraz (SF-11)	-
San Francisco, City & County	S.F. Marina and Small Craft Harbor Entrance Channel - Sand Trap/Mining Pilot Project	30,000	30,000	0	100	-	Tidewater facility
San Francisco Drydock, Inc.	San Francisco Drydock, Berths 3 and 4-Pre Oil Spill	98,000	Held	Held	0	-	-
San Francisco Drydock, Inc.	San Francisco Drydock, Berths 3 and 4 -POST SPILL	98,000	98,000	0	100	Alcatraz (SF-11)	-

Table 2
DMMO Material Suitability Determinations
All Projects

Applicant	Project Site	Proposed Dredging Volume	Volume Approved (SUAD)	Volume Falled (NUAD)	Percent Approved (SUAD)	Aquatic Disposal Site	Upland Disposal Site
San Francisco, Port of	Pier 35 East	55,000	55,000	0	100	Alcatraz (SF-11)	-
San Francisco, Port of	Pier Pier 27	80,000	80,000	0	100	Alcatraz (SF-11)	-
San Francisco, Port of	Pier 35 West	37,000	33,200	3,800	90	Alcatraz (SF-11) NUAD left in place	-
San Francisco Public Utilities Commission - Department of Public Works	Port of SF, Piers 33 and 35	1,200	0	1,200	0	-	Port of SF Pier 94- Upland Site
San Francisco Yacht Club	San Francisco Yacht Club, Belvedere, Marin Co.	125,000	125,000	0	100	Alcatraz (SF-11)	-
San Leandro, City of	San Leandro Marina	75,000	75,000	0	100	Alcatraz (SF-11)	-
Sausalito Yacht Harbor Inc.	Sausalito Yacht Club	700	700	0	100	Alcatraz (SF-11)	-
Schnitzer Steel	Schnitzer Steel, Port of Oakland	13,000	13,000	0	100	Alcatraz (SF-11)	unknown upland location
Schnitzer Steel	Schnitzer Steel, Port of Oakland	210	210	0	100	Alcatraz (SF-11)	0
Unocal Corp	Unocal Marine Terminal, Rodeo	55,240	55,240	0	100	Carquinez (SF-9)	0
Vallejo, City of	Vallejo Ferry Terminal, east shore of Mare Island Strait	8,000	6700	1,300	84	Carquinez (SF-9)	unknown upland location
Vallejo Yacht Club	Vallejo Yacht Club - harbor entrance	1,500	1,500	0	100	San Pablo Bay (SF-10)	-
Western Waterways, Inc.	Glen Cove Marina, Vallejo, Solano County	50,000	50,000	0	100	Carquinez (SF-9)	-
Wickland Oil Martinez	Wickland Oil Martinez, Proposed Point Orient Terminal	26,100	Pending	Pending	0	Alcatraz (SF-11)	-
Non-Federal Projects							

Table 2
DMMO Material Suitability Determinations
All Projects

Applicant	Project Site	Proposed Dredging Volume	Volume Approved (SUAD)	Volume Failed (NUAD)	Percent Approved (SUAD)	Aquatic Disposal Site	Upland Disposal Site
U.S. Army Corps of Engineers	Oakland Army Base	20,000	20,000	0	100	Alcatraz SF-11	-
U.S. Army Corps of Engineers	Corps O&M-Redwood City	1,080,000	1,030,000	47,500	95	Alcatraz SF-11	-
U.S. Army Corps of Engineers	Corps Spring O&M-Richmond	520,000	520,000	0	100	Alcatraz (SF-11); San Pablo (SF-10)	-
U.S. Army Corps of Engineers	Corps Fall O&M-Richmond	105,000	105,000	0	100	Alcatraz (SF-11)	-
U.S. Army Corps of Engineers	Corps Suisun Bay O&M	186,200	186,200	0	100	Suisun Bay (SF-8)	-
U.S. Army Corps of Engineers	Corps Port of Oakland O&M	200,000	180,000	20,000	90	Alcatraz (SF-11)	Landfill via Berth 10
U.S. Army Corps of Engineers	Corps San Leandro O&M	110,600	110,600	0	100	Alcatraz (SF-11)	-
U.S. Army Corps of Engineers	Corps San Rafael Across the Flats O&M	173,200	Pending	0	0	San Pablo (SF-10)	-
U.S. Navy	NAS Alameda	100,000	100,000	0	100	Alcatraz (SF-11)	-
Summary Information							
Total Proposed Dredging Volume	Actual Dredged Volume, (minus projects pending)	Volume Approved (SUAD)	Volume Failed (NUAD)				
5,221,650	4,331,350	4,217,550	113,800				
	% Approved	97					
	% Failed	3					

MEMORANDUM OF UNDERSTANDING
FOR THE
PILOT DREDGED MATERIAL MANAGEMENT OFFICE

**MEMORANDUM OF UNDERSTANDING
BETWEEN
THE U.S. ARMY ENGINEER DISTRICT, SAN FRANCISCO
AND
SAN FRANCISCO REGIONAL WATER QUALITY CONTROL BOARD
AND
CALIFORNIA STATE LANDS COMMISSION
AND
U.S. ENVIRONMENTAL PROTECTION AGENCY
AND
SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION**

Original : July 3, 1996
Revised : March 28, 1997

SUBJECT: Memorandum of Understanding for the Pilot Dredged Material Management Office

1. **Purpose.** This Memorandum of Understanding (MOU) provides for the creation of a Pilot Dredged Material Management Office (DMMO) for the San Francisco Bay Region. This office is established to foster a comprehensive, and consolidated approach to handling dredged material management issues in order to reduce redundancy and delays in the processing of dredging permit applications. This MOU addresses the implementation of a "pilot" DMMO; it does not propose a permanent physical office. The DMMO is a phased program (See Section 12). The first two phases constitute the "pilot" program and each of these phases will last six (6) months. The pilot phases will implement the basic approach as outlined in this document and include the processing of dredging and disposal permit applications in order to judge the effectiveness of the approach and the need for subsequent modifications. It is envisioned by the member agencies that more tasks will be added to the DMMO over time as the effectiveness of the DMMO is demonstrated.
2. **Disclaimer.** Nothing written in this MOU shall be construed as an agreement, expressed or implied, which amends, negates or otherwise changes the legal statutory and regulatory authority of any member signatory agency or any interested party. The sole intent of the DMMO is to improve the dredging permit process within existing law, regulation and policy.
3. **References.**
 - a. *General Operating Principles, Pilot Dredged Material Management Office (DMMO)*, signed by the Dredging Management Committee members and dated 12 September 1995.
 - b. *Draft DMMO Flowchart and Timeline Goals for Maintenance Dredging and Disposal Projects*, dated July 3, 1996.
4. **History.** The competing needs of various San Francisco Bay user groups, the ports and related industries, sport fisherman, and the environment reached a crisis point in 1989 when considerable controversy arose over dredged material disposal in San Francisco Bay. A consensus-based approach, entitled the "Long Term Management Strategy (LTMS) for dredged material management," was initiated in 1990, to address and resolve the "dredging problem".

The goal of the LTMS is to create a fifty year plan manage dredged material dredging and disposal activities. The San Francisco Bay Regional Water Quality Control Board (Regional Board), State Water Resources Control Board, San Francisco Bay Conservation and Development Commission (BCDC), United States Environmental Protection Agency (USEPA) and United States Army Corps of Engineers, South Pacific Division and San Francisco District (COE) are signatories to the LTMS program.

This DMMO results, in part, from the findings of the LTMS Implementation Committee which examined the issue of permit streamlining. The Committee formed a task group to draw up a process for a "one stop" permit approach for dredging permits. In 1992, the task group drafted a permit streamlining initiative with general goals and objectives. The resultant DMMO proposal was modeled after the Puget Sound Dredge Disposal Analysis (PSDDA) approach, which relies on a partnership of federal and state agencies.

In 1995, the LTMS agencies decided to form a pilot DMMO, under existing authorities and budgets. The COE agreed to initially act as the "host" of the DMMO and take on responsibilities associated with the lead role. The roles and responsibilities of the host agency, as well as the other participants, are addressed in this MOU. The MOU is consistent with, and is intended to implement, the fourth goal of the LTMS which is to provide "recommendations for federal, state and local agencies to implement a cooperative permitting process for authorizing dredging activities."

5. **Geographic Area.** The DMMO geographic area includes: all of the San Francisco Bay Estuary up to Sherman Island, its major tributaries up to points where navigation is no longer feasible, upland areas surrounding the estuary, and ocean disposal sites for Bay material designated by the COE and/or USEPA. (See Figure 1.) However, the member agencies will strive to coordinate with the Central Valley Regional Water Quality Control Board regarding use of Bay dredged material in the Sacramento/San Joaquin Valley region.
6. **Definitions.** For the purpose of this memorandum of understanding the following definitions apply:
 - a. "Host" Agency. COE, San Francisco District will be the host agency: (1) providing logistical support for the meetings to include providing meeting rooms, preparing agendas, preparing meeting minutes, distributing information among participants, applicants, and interested parties; and maintaining project files; and (2) acting as the main clearinghouse and initial point of contact on DMMO matters.
 - b. "Member Agencies." The signatories to this MOU.
 - c. "Interested Party." Any person or agency that has an interest or involvement in the issuance of dredging permits and management of dredged material in the SF Bay Area.
 - d. "Dredging Management Committee." A committee made up of each signatory agency's executive-level staff person or commander.
 - e. "Uplands." Locations within the Bay Area that are outside "navigable waters", i.e. above the high tide line. Note that "Uplands" may possess wetland characteristics and be regulated as wetlands.